

Serial No. 56207

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 22 1991

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed MAY 20 1991

The applicant Elko Land & Livestock Company, a Nevada Corporation

P.O. Box 220 of Battle Mountain

Street and No. or P.O. Box No.

City or Town

Nevada 89820 hereby make... application for permission to change the

State and Zip Code No.

place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 16951 (Certificate No. 5605)

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is underground (well no. 3)

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.667 cfs

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation & domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation & domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NE $\frac{1}{4}$  NW $\frac{1}{4}$  (Lot 3) Section 5, T.34N., R.49E.,

Describe as being within a 40-acre subdivision of public survey and by course and

MDM at a point from which the N $\frac{1}{4}$  Corner of said Section 5 bears N 80° 00' 00"

distance to a section corner. If on unsurveyed land, it should be stated.

E a distance of 305.00 feet

6. The existing permitted point of diversion is located within NE $\frac{1}{4}$  NW $\frac{1}{4}$  (Lot 3) Section 5, T.34N., R.49E.,

If point of diversion is not changed, do not answer.

MDM at a point from which the N $\frac{1}{4}$  Corner of said Section 5 bears N 80° 00' 00"

E a distance of 305.00 feet

7. Proposed place of use See Attachment "A", Item No. 1

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See Attachment "A", Item No. 2

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.

Month and Day

Month and Day

10. Use was permitted from January 1 to December 31 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing well equipped with motor, pump

State manner in which water is to be diverted, i.e. diversion structure,

& pipeline to pivot in proposed place of use.

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works None - Works Completed

13. Estimated time required to construct works None - Works Completed

Send copies to: Elko Land & Livestock Company c/o Newmont Gold Company

P.O. Box 669 Carlin, Nevada 89822 Application filed to reflect actual

place of use as defined by pivot locations under Permit No. 31288 & 31289

By s/Michael D. Buschelman

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Michael D. Buschelman - Agent

5405 Mae Anne Avenue

Reno, Nevada 89523

Compared bc/ bc

**Protested.**

~~WITHDRAWN BY APPLICANT~~

NOV 30 2005

### OF STATE ENGINEER

STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before\_\_\_\_\_

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed\_\_\_\_\_

IN TESTIMONY WHEREOF, I, \_\_\_\_\_,  
State Engineer of Nevada, have hereunto set my hand and the seal of my

**Proof of beneficial use filed**.....

office, this \_\_\_\_\_ day of \_\_\_\_\_,

**Cultural map filed.**\_\_\_\_\_

**A.D. 19.....**

**Certificate No.**.....**Issued**.....

**State Engineer**

## ATTACHMENT "A"

## ITEM NO. 1: PROPOSED PLACE OF USE

2.86 ACRES	LOT 1	SECTION 5	T34N, R49E, MDM
35.18 ACRES	LOT 2	SECTION 5	T34N, R49E, MDM
24.27 ACRES	LOT 3	SECTION 5	T34N, R49E, MDM
26.43 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
0.13 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
0.81 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
36.93 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
3.33 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM

129.94 ACRES TOTAL IN THE PROPOSED PLACE OF USE

## ITEM NO. 2: EXISTING PLACE OF USE

37.85 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
39.78 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
40.53 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
40.08 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
5.00 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
5.45 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
0.27 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
1.22 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM
0.30 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 5	T34N, R49E, MDM

170.48 ACRES TOTAL IN THE EXISTING PLACE OF USE.

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